

**United States District Court  
District of Massachusetts (Boston)  
CIVIL DOCKET FOR CASE #: 1:18-cv-10763-IT**

National Consumer Law Center v. United States Department of Education  
Assigned to: Judge Indira Talwani  
Cause: 05:552 Freedom of Information Act

Date Filed: 04/19/2018  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**National Consumer Law Center**

represented by **Persis S. Yu**  
National Consumer Law Center  
7 Winthrop Square  
4th Floor  
Boston, MA 02110  
617-542-8010  
Email: [pyu@nclc.org](mailto:pyu@nclc.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Patrick D. Llewellyn**  
Public Citizen Litigation Group  
1600 20th Street NW  
Washington, DC 20009  
(202) 588-1000  
Email: [pllewellyn@citizen.org](mailto:pllewellyn@citizen.org)  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**Stuart T. Rossman**  
National Consumer Law Center  
7 Winthrop Square  
4th Floor  
Boston, MA 02110  
617-542-8010  
Fax: 617-542-8028  
Email: [rossman@nclc.org](mailto:rossman@nclc.org)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**United States Department of Education**

represented by **Susan M. Poswistilo**  
United States Attorney's Office  
John Joseph Moakley Federal Courthouse  
1 Courthouse Way  
Suite 9200  
Boston, MA 02210  
617-748-3103  
Fax: 617-748-3675  
Email: [susan.poswistilo@usdoj.gov](mailto:susan.poswistilo@usdoj.gov)  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
04/19/2018	<u>1</u>	COMPLAINT against All Defendants Filing fee: \$ 400, receipt number 0101-7101407 (Fee Status: Filing Fee paid), filed by National Consumer Law Center. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Category Form)(Rossman, Stuart) (Entered: 04/19/2018)

04/19/2018	<u>2</u>	ELECTRONIC NOTICE of Case Assignment. Judge Indira Talwani assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Donald L. Cabell. (McDonagh, Christina) (Entered: 04/19/2018)
04/19/2018	<u>3</u>	Summons Issued as to United States Department of Education. <b>Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service.</b> (Pacho, Arnold) (Entered: 04/19/2018)
04/23/2018	<u>4</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Patrick Llewellyn Filing fee: \$ 100, receipt number 0101-7104176 by National Consumer Law Center. (Attachments: # <u>1</u> Affidavit Declaration)(Rossman, Stuart) (Entered: 04/23/2018)
04/25/2018	<u>5</u>	Judge Indira Talwani: ELECTRONIC ORDER entered ALLOWING <u>4</u> Motion for Leave to Appear Pro Hac Vice Added Patrick D. Llewellyn. <b>Attorneys admitted Pro Hac Vice must register for electronic filing if the attorney does not already have an ECF account in this district. To register go to the Court website at <a href="http://www.mad.uscourts.gov">www.mad.uscourts.gov</a>. Select Case Information, then Electronic Filing (CM/ECF) and go to the CM/ECF Registration Form.</b> (DaSilva, Carolina) (Entered: 04/25/2018)
04/26/2018	<u>6</u>	NOTICE of Appearance by Persis S. Yu on behalf of National Consumer Law Center (Yu, Persis) (Entered: 04/26/2018)
05/25/2018	<u>7</u>	SUMMONS Returned Executed as to US Attorney by National Consumer Law Center. United States Department of Education served on 5/2/2018, answer due 7/2/2018 filed by National Consumer Law Center. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Yu, Persis) <b>Modified text, answer deadline and event type on 5/29/2018</b> (DaSilva, Carolina). (Entered: 05/25/2018)
06/13/2018	<u>8</u>	NOTICE of Appearance by Susan M. Poswistilo on behalf of United States Department of Education (Poswistilo, Susan) (Entered: 06/13/2018)
06/13/2018	<u>9</u>	Assented to MOTION for Extension of Time to 7/9/18 to File Answer by United States Department of Education.(Poswistilo, Susan) (Entered: 06/13/2018)
06/13/2018	<u>10</u>	Judge Indira Talwani: ELECTRONIC ORDER entered granting <u>9</u> Motion for Extension of Time to Answer/Respond re <u>1</u> Complaint United States Department of Education. Answer/Response due 7/9/2018. (MacDonald, Gail) (Entered: 06/13/2018)
07/06/2018	<u>11</u>	ANSWER to <u>1</u> Complaint by United States Department of Education.(Poswistilo, Susan) (Entered: 07/06/2018)
09/17/2018	<u>12</u>	NOTICE of Scheduling Conference. Scheduling Conference set for 10/15/2018 02:45 PM in Courtroom 9 before Judge Indira Talwani. (MacDonald, Gail) (Entered: 09/17/2018)
09/28/2018	<u>13</u>	JOINT SUBMISSION pursuant to Local Rule 16.1 (Attachments: # <u>1</u> <b>DELETED and docketed as a separate entry</b> )(Llewellyn, Patrick)(DaSilva, Carolina). (Entered: 09/28/2018)
09/28/2018	<u>14</u>	Joint MOTION to Vacate <i>Scheduling Conference</i> by National Consumer Law Center.(Llewellyn, Patrick) (Entered: 09/28/2018)
09/28/2018	<u>15</u>	CERTIFICATION pursuant to Local Rule 16.1 by National Consumer Law Center.  Refiled as a separate entry using the proper event.  (DaSilva, Carolina) (Entered: 10/01/2018)
10/01/2018	<u>16</u>	CERTIFICATION pursuant to Local Rule 16.1 . (Poswistilo, Susan) (Entered: 10/01/2018)
10/03/2018	<u>17</u>	Judge Indira Talwani: ELECTRONIC ORDER entered granting <u>14</u> Joint MOTION to Vacate <i>Scheduling Conference</i> . Scheduling Conference set for 10/15/18 is RESET for 10/24/2018 02:00 PM in Courtroom 9 before Judge Indira Talwani. (MacDonald, Gail) (Entered: 10/03/2018)

10/11/2018	<u>18</u>	Judge Indira Talwani: ELECTRONIC ORDER: VACATING the scheduling conference set for October 24, 2018. Counsel shall file a joint status report by October 19, 2018, as set forth in the Joint Motion to Vacate Scheduling Conference <u>14</u> . (Status Report due by 10/19/2018) (MacDonald, Gail) (Entered: 10/11/2018)
10/19/2018	<u>19</u>	STATUS REPORT ( <i>Joint</i> ) by National Consumer Law Center. (Attachments: # <u>1</u> Text of Proposed Order)(Llewellyn, Patrick) (Entered: 10/19/2018)
10/24/2018	<u>20</u>	Judge Indira Talwani: ORDER entered. (MacDonald, Gail) (Entered: 10/25/2018)
12/07/2018	<u>21</u>	STATUS REPORT ( <i>Joint</i> ) by National Consumer Law Center. (Attachments: # <u>1</u> Text of Proposed Order)(Llewellyn, Patrick) (Entered: 12/07/2018)
12/12/2018	<u>22</u>	Judge Indira Talwani: ORDER entered re: <u>21</u> Status Report. The parties shall file a joint status report by <b>February 8, 2019</b> . (DaSilva, Carolina) (Entered: 12/12/2018)
01/16/2019	<u>23</u>	MOTION to Stay <i>Proceedings Due to Lapse in Appropriations</i> by United States Department of Education.(Poswistilo, Susan) (Entered: 01/16/2019)
01/17/2019	24	Judge Indira Talwani: ELECTRONIC ORDER entered GRANTING IN PART <u>20</u> MOTION to Stay Proceedings Due to Lapse in Appropriations. Discovery is stayed until appropriations have been restored to the Department of Justice or until the stay is otherwise lifted by the court. Within twenty-eight days of the stay being lifted, the parties shall file a joint status report concerning the status of the case and proposing a schedule for further proceedings. (DaSilva, Carolina) (Entered: 01/17/2019)
01/31/2019	25	Judge Indira Talwani: ELECTRONIC ORDER entered. ORDER LIFTING STAY. Joint Status Report, including a proposed schedule for further proceedings, due by 2/28/2019. (MacDonald, Gail) (Entered: 01/31/2019)
02/27/2019	<u>26</u>	STATUS REPORT ( <i>Joint</i> ) by National Consumer Law Center. (Attachments: # <u>1</u> Text of Proposed Order)(Llewellyn, Patrick) (Entered: 02/27/2019)
03/01/2019	<u>27</u>	Judge Indira Talwani: ORDER entered re <u>26</u> Joint Status Report. Parties shall file a joint status report by <b>March 29, 2019</b> . <b>See Attached Order</b> . (Haran, Jodi) (Entered: 03/01/2019)